

## REMARKS

### *Improper Filing Date Recorded*

A Notice of Omitted Item(s) in a Nonprovisional Application was mailed to the applicants on 27 February 2004.

The Notice of Omitted Items indicates the application was assigned a filing date of 2 October 2003. However, the application was deposited with the United States Post Office utilizing proper Express Mail procedures on 1 October 2003 (copy of Express Mail receipt showing date of deposit is enclosed). The applicants request that the present application be given a filing date of 1 October 2003.

### *In the Drawings*

The specification as filed claims priority from Korean Patent Application No. 2002-79083. In the present application, Korean Patent Application No. 2002-79083 was incorporated by reference in its entirety. A certified copy of Korean Patent Application No. 2002-79083 is enclosed as the priority document for this application.

According to MPEP 608.01(p)(I)(A), nonessential subject matter is subject matter referred to for purposes of indicating the background of the invention or illustrating the state of the art. On the other hand, essential material is defined as that which, among other things, is necessary to describe the claimed invention. See, e.g., MPEP 608.01(p)(I)(A).

In any application which is to issue as a U.S. patent, essential material may *not* be incorporated by reference to applications published by foreign countries. See, e.g., MPEP 608.01(p)(I)(A); emphasis added.

However, the *filing date* of any application wherein essential material is improperly incorporated by reference to a foreign application *will not be affected* because of the reference. See, e.g., MPEP 608.01(p)(I)(A)(2); emphasis added. In such a case, the applicant *will be required to amend* the specification to include the material incorporated by reference. See, e.g., MPEP 608.01(p)(I)(A)(2); emphasis added.

The present application is based upon a translation of Korean Patent Application No. 2002-79083, which contains FIGS. 1, 2, 3, 4a, 4b, 5, and 6. In the present application, it is seen that FIGS. 1, 2, 3, 4A, 4B, and 5 correspond to FIGS. 1, 2, 3, 4a, 4b, and 5 of Korean Application No. 2002-79083, respectively. The specification of the present application makes extensive reference to a FIG. 6 to describe the claimed invention. The translation of FIG. 6 from Korean Application No. 2002-79083 was mistakenly omitted when the present

application was filed. However, FIG. 6 of Korean Application No. 2002-79083 was improperly incorporated by reference in the present application.

Therefore, according to the requirements of MPEP 608.01(p)(I)(A)(2) discussed above, the applicants submit for entry a translation of Figure 6 from Korean Patent Application No. 2002-79083. According to MPEP 608.01(p)(I)(A)(2), this amendment does not affect the filing date of the application. The declaration required by MPEP 608.01(p)(I)(A)(2) appears below.

***Declaration Under 37 CFR 1.68 and MPEP 608.01(p)(I)(A)(2) by Practitioner  
Representing the Applicants***

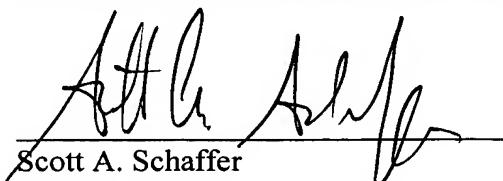
The amendatory material consists of the same material that was incorporated by reference in the present application. The declarant is warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. All statements made of the declarant's own knowledge are true and all statements made on information and belief are believed to be true.

Please contact the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing this case.

**Customer No. 20575**

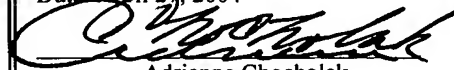
Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
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Scott A. Schaffer  
Reg. No. 38,610

MARGER JOHNSON & McCOLLOM, P.C.  
1030 SW Morrison Street  
Portland, OR 97205  
(503) 222-3613

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
Date: April 23, 2004

  
Adrienne Chocholak